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10/734,537

12/12/2003

Chun-Fu Chang

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05/31/2006

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EXAMINER

CHEVALIER, ALICIA ANN

ART UNIT

PAPER NUMBER

1772

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/734,537

Applicant(s)

CHANG, CHUN-FU

Examiner

Alicia Chevalier

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 4-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

RESPONSE TO AMENDMENT

1. Claims 1-8 are pending in the application, claims 4-8 are withdrawn from consideration.
2. Amendments to the claims, filed on March 15, 2006, have been entered in the above-identified application.

REJECTIONS

3. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

Claim Rejections - 35 USC § 103

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (U.S. Patent No. 5,571,051) in view of Huang (U.S. Patent No. 6,663,500).

Regarding Applicant's claim 1, Huang '051 discloses a grip belt (*golf club grip, title*) comprising a nonwoven fabric base material (*felt, col. 4, line 14*) having a plurality of through holes through top and bottom sides thereof (*figure 2*), an elastic polyurethane cover layer (*col. 4, line 4*) bonded to the top side of said nonwoven fabric base material (*figure 2*), a plurality of small air holes formed in the elastic polyurethane cover layer adjacent to the nonwoven fabric base material (*figure 2*) and a plurality of air cells formed in the elastic polyurethane cover layer within and around the through holes (*pores, col. 3, line 53 and figure 12*).

Huang '051 fails to disclose that the through holes are filled up the through holes.

Huang '500 discloses an all weather composite grip for golf clubs (*title*) comprising a felt base material with polyurethane cover layer (*col. 3, lines 54-57*). The polyurethane covers and impregnates the felt (*col. 5, lines 54-56*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to impregnate the felt with polyurethane as taught by Huang '500 in Huang '051 in order to improve the weatherability of the grip.

Regarding Applicant's claim 2, Huang '051 discloses that the grip belt further comprises a plurality of recessed portions (*tread, col. 4, line 34*) formed in one side of the elastic polyurethane cover layer opposite to the nonwoven fabric base material corresponding to the through holes (*figure 5*).

Regarding Applicant's claim 3, Huang '051 discloses that the through holes are formed in the nonwoven fabric base material subject to a predetermined pattern (*figure 3*).

ANSWERS TO APPLICANT'S ARGUMENTS

5. Applicant's arguments in response filed March 15, 2006 regarding the 35 U.S.C. 103(a) rejection over Huang (U.S. Patent No. 5,571,051) in view of Huang (U.S. Patent No. 6,663,500) of record have been carefully considered but are deemed unpersuasive.

Applicant argues that Huang '051 teaches away from filling the through holes in any manner because Huang '051 teaches "breathing" of air through the grip. Applicant further argues that dimples are to remain open.

The section that Applicant has pointed to in Huang '051 is discussing the perforations in the elastic polyurethane cover layer that also penetrate through nonwoven layer not the

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interstitial holes of the nonwoven which are essentially air pockets in the nonwoven. The examiner is not proposing to fill up the perforations which give Huang '051 its breathability. The examiner is suggesting to fill up the interstitial holes of the nonwoven as claimed. Therefore, the perforation and dimples will remain open.

Applicant argues that Huang '500 does not teach the impregnation of the felt layer.

Huang '500 clearly states "The polyurethane covers and impregnates the felt" (*col. 5, lines 54-56*).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (571) 272-1490. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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5/29/06



ALICIA CHEVALIER
PRIMARY EXAMINER